

Federal Rule of Civil Procedure 8(b)

**Defenses; Form of Denials.** A party shall state in short and plain terms his defenses to each claim asserted and shall admit or deny the averments upon which the adverse party relies... Denials shall fairly meet the substance of the averments denied. When a pleader intends in good faith to deny only a part or a qualification of an averment, he shall specify so much of it as is true and material and the remainder.... [H]e may do so by general denial subject to... Rule 11.

United States District Court  
Southern District of Texas  
FILED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS

DEC 14 2009

Clerk of Court

Northpark Office  
Tower, L.P.

Debtor.

CASE NO. 09 39205

**PROOF OF SERVICE:**

Motion for Relief from Stay and Notice of Hearing

On behalf of the movant, I certify that I am more than 18 years of age, and I served a copy of the motion for relief from stay with the notice of hearing

(a) on this date: 12/4/09

(b) by this method: FIRST CLASS U. S. MAIL

(c) on these entities: Debtor, Debtor's Attorney, U.S. Trustee,  
Alan Gerger, Ciano Pasta, Anthony Nims,  
Brian Kilmer

I certify under penalty of perjury that this is true.

12/4/09  
Date Signed

Stephen Hunt  
Signature

Stephen Hunt  
Counsel (typed)

MOVANT, ER PILE, LLC  
For Party

Northlake Motel, Inc. Debtor

versus

Movant,  
Respondent.

BANKRUPTCY CASE NUMBER

09-39205

NOTICE OF HEARING ON RELIEF FROM STAY

On 12/14/09, a motion was filed, seeking relief from the automatic stay of 11 U.S.C. 362. The court has set the preliminary hearing on the motion for:

Date: Jan - 6, 2010,

Time: 9:00 A .m.

Courtroom: 403 on Floor: 4<sup>th</sup>.

Address: United States Court House, 515 Rusk Avenue, Houston, Texas 77002

If you object to the lifting of the stay, no later than five (5) working days before the hearing you must:

1. File with the Clerk an affidavit stating that:
  - a. You have conferred with the movant in a good faith effort to reach an agreement, with the dates and times of the conferences,
  - b. The efforts were unsuccessful, and
  - c. A hearing is required.
2. File with the Clerk your written answer opposing the motion; include:
  - a. The particular grounds for the opposition under Federal Rules 8(b) and 11;
  - b. The identity of your interest in the property;
  - c. The provable value of the property and the equity after deduction of all encumbrances; and
  - d. Attach copies of your affidavit of conferences and the motion to your answer.
3. Serve a copy of your written answer on the movant at:

Your written answer will be your request for hearing. No hearing will be held on the request of the movant or on an answer received within five days before the hearing.

Michael N. Milby, Clerk

DEC 04 2009

Date Issued: \_\_\_\_\_

By: [Signature]  
Deputy Clerk

To the Movant: A copy of this notice with a copy of your motion must be served within 24 hours of receipt from the clerk. A proof of service form is on the back.